

JEFFREY S. CHIESA

Attorney General of New Jersey
Attorney for Petitioner
Department of Law and Public Safety
1300 Atlantic Avenue
Atlantic City, New Jersey 08401

By: Timothy C. Ficchi
Deputy Attorney General
(609) 317-6218

STATE OF NEW JERSEY
DIVISION OF GAMING ENFORCEMENT
DOCKET NO. 12-0649-EL

STATE OF NEW JERSEY,
DEPARTMENT OF LAW AND PUBLIC
SAFETY, DIVISION OF GAMING
ENFORCEMENT,

Petitioner,

v.

WALTER CHMIELEWSKI,

Respondent.

Civil Action

PETITION FOR PLACEMENT
ON EXCLUSION LIST

Petitioner, State of New Jersey, Department of Law and Public Safety,
Division of Gaming Enforcement, located at 1300 Atlantic Avenue, Atlantic City, New
Jersey, says:

1. Respondent, Walter Chmielewski (hereinafter "Respondent"), is a New
Jersey resident, residing at [REDACTED]

2. *N.J.A.C. 13:69G-1.3(a)(3)* provides, in pertinent part, for the exclusion of:

Any person who has been convicted of a criminal offense under the laws of any State, or of the United States, which is punishable by more than six months in prison, or who has been convicted of any crime or offense involving moral turpitude, and whose presence in a licensed casino establishment would be inimical to the interest of the State of New Jersey or of licensed gaming therein;

3. *N.J.A.C. 13:69G-1.3(a)4* authorizes the exclusion of:

Any person whose presence in a licensed casino establishment would be inimical to the interest of the State of New Jersey or licensed gaming therein, including . . . :

* * *

iii Persons who pose a threat to the safety of the patrons or employees of a casino licensee;

iv. Persons with a documented history of conduct involving the undue disruption of the gaming operations of casino licensees;... .

4. On September 4, 2010, Respondent was arrested for the offenses of Unlawful Possession Of A Weapon (Fourth Degree), *N.J.S.A. 2C:39-5d*, Possession Of Weapon For Unlawful Purpose (Third Degree), *N.J.S.A. 2C:39-4d* and Possession Of A Weapon By A Convicted Person (Fourth Degree), *N.J.S.A. 2C:39-7*, and was indicted on those charges, Indictment #10-11-02529-I. On August 12, 2011, Respondent pleaded

guilty to the offense of Unlawful Possession Of A Weapon (Fourth Degree) and received a sentence of three (3) years probation.

5. On November 15, 2010, Respondent was arrested for the offense of Theft By Unlawful Taking (Third Degree), *N.J.S.A. 2C:20-3*, and was indicted on that charge, Indictment #11-07-01542-A. The conduct by Respondent, namely the theft of a leather jacket and a smart phone with a total approximate value of \$495, which resulted in that indictment occurred on the premises of Caesars Atlantic City, a casino licensee in Atlantic City, New Jersey. On August 12, 2011, Respondent pleaded guilty to the Indictment and received a sentence of three (3) years probation concurrent with Indictment #10-11-02529-I.

6. On March 1, 2011, Respondent was arrested for the offense of Criminal Trespass - Unlicensed Entry Of Structures (Fourth Degree), *N.J.S.A. 2C:18-3a*, and for Possession of a Controlled Dangerous Substance (Third Degree) and was indicted on those charges, Indictment #11-03-00793-I. On August 12, 2011, Respondent pleaded guilty to Criminal Trespass - Unlicensed Entry Of Structure (Fourth Degree) and received a sentence of three (3) years probation concurrent with Indictments #10-11-02529-I and #11-07-01542-A.

7. Since 1973, Respondent has a criminal record consisting of a total of 35 arrests resulting in 18 convictions with 7 indictable charges including weapon offenses, aggravated assault and terroristic threats.

8. Based on information contained in Paragraph 1 through 7 of this petition, Respondent is a person who has been convicted of a criminal offense punishable by more than six months in prison and whose presence in a licensed casino establishment would be inimical to the interests of the State of New Jersey or of licensed gaming therein, and should be excluded from casino premises pursuant to *N.J.A.C. 13:69G-1.3(a)3*.

9. Based on information contained in Paragraph 1 through 8 of this petition, Respondent is a person whose presence in a licensed casino establishment would be inimical to the interest of the State of New Jersey or licensed gaming therein and should be excluded from casino premises pursuant to *N.J.A.C. 13:69G-1.3(a)4*.

WHEREFORE, Complainant demands the following relief against Respondent:

A. Judgment that Respondent Walter Chmielewski is a person who has been convicted of a criminal offense punishable by more than six months in prison and whose presence in a licensed casino establishment would be inimical to the interest of the State of New Jersey or of licensed gaming therein, within the meaning of *N.J.A.C. 13:69G-1.3(a)(3)*;

B. Judgment that Respondent Walter Chmielewski is a person whose presence in a licensed casino establishment would be inimical to the interest of the State of New Jersey or licensed gaming therein, within the meaning of *N.J.A.C. 13:69G-1.3(a)(4)*;

C. Judgment entering a final order placing Respondent Walter Chmielewski on the exclusion list pursuant to *N.J.S.A. 5:12-71* and *N.J.A.C. 13:69G-1.3(a)(3)* and (a)(4);

D. Judgment for such other relief as the Division of Gaming Enforcement may deem just and appropriate under the circumstances.

Respectfully submitted,

JEFFREY S. CHIESA
Attorney General of New Jersey
~~Attorney for the State of New Jersey~~

By: 

Timothy C. Ficchi
Deputy Attorney General

Dated: August 30, 2012